

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                   |                      |
|------------------------------|---|-------------------|----------------------|
| In re patent application of: | § |                   |                      |
|                              | § |                   |                      |
| Barry J. Gilhuly et al.      | § | Confirmation No.: | 9501                 |
|                              | § |                   |                      |
| Application No.: 10/088,784  | § | Art Unit:         | 2142                 |
|                              | § |                   |                      |
| Filed: June 26, 2002         | § | Examiner:         | John M.J. MacIlwinen |

For: SYSTEM AND METHOD FOR PUSHING INFORMATION FROM A HOST SYSTEM TO A MOBILE DATA COMMUNICATION DEVICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

As listed on the accompanying Form PTO/SB/08A and/or Form PTO/SB/08B, submitted herewith are copies of the indicated references which Applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

Additionally, Applicant is submitting herewith as an Appendix the following information with respect to Applicant's duty of disclosure relating to one or more of the following: (a) co-pending, commonly assigned patent applications that may have related subject matter; (b) products/papers in pending litigation involving patents that may have subject matter related to the subject matter of the instant patent application; and (c) such other sources as may be applicable.

It is believed that paper copies of the materials with respect to the co-pending related patent applications (that is, copies of the applications themselves or of the prosecution papers such as the Office Actions, art cited therein and responses thereto, etc.) are readily available to the Examiner as they are part of the USPTO database. Accordingly, they are not being provided herewith as part of this filing. However, should the Patent Office require the copies at any time during the pendency of the instant patent application, Applicant will comply therewith accordingly.

Further, since the NPL and foreign references identified herein are being filed electronically, they are being transmitted in multiple separate filings due to the limit of 20 electronic documents per filing. Accordingly, all such multiple separate electronic filings should be treated as part of the instant IDS submission although the subsequent electronic filings may not include a separate copy of this present supplemental information disclosure statement.

The filing of this information disclosure statement and/or any attachments hereto shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

IDENTIFICATION OF TIME OF FILING THE  
INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed within three months of the filing date of the national application other than a continued prosecution application under §1.53(d) or within three months of the date of entry of the national stage as set forth in §1.491 in an international application or before the mailing date of a first Office Action on the merits or before the mailing of a first Office Action after the filing of a request for continued examination under §1.114. (37 CFR §1.97(b)).

This Information Disclosure Statement is being filed after the period specified in 37 CFR §1.97(b) but before the mailing date of a final action under §1.113 or a notice of allowance under §1.311 or an action that otherwise closes the prosecution in the application. (37 CFR §1.97(c)).

Accompanying this transmittal is:

the statement specified in 37 CFR §1.97(e); or

the fee set forth in 37 CFR §1.17(p) of 180.00.

This Information Disclosure Statement is being filed after the period specified in 37 CFR §1.97(c) but before or simultaneously with the payment of the issue fee. (37 CFR §1.97 (d)).

Accompanying this transmittal is:

a. the statement as specified in 37 CFR §1.97(e); and

b. the fee set forth in 37 CFR §1.17(p) of \$180.00.

CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT 37 CFR §1.97(e)  
(Only if Required Above)

I, the person(s) signing below certify:

that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement (37 CFR §1.97(e)(1)); or

- that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonably inquire, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement (37 CFR §1.97(e)(2)).

FEE PAYMENT

- authorized payment in the amount of \$180.00 as indicated on electronic filing paperwork
- charge Deposit Account No. 03-1130 \$180.00
- Applicant believes no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 03-1130.

Dated this 22nd day of September, 2008.

Respectfully Submitted,

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**Appendix to IDS of September 22, 2008**  
**Appl. No. 10/088,784**

**CO-PENDING RELATED PATENT APPLICATION INFORMATION**

| No. | Document   | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|--|------------------------------|---|
| 1   | Appl. No. 10/151,642<br>(Publ. No.: 2002/0194285)    | May 20, 2002                 | 2154<br>Jungwon Chang                         |
|     | Preliminary Amendment                                | March 7, 2003                |   |
|     | Office Action  | August 19, 2005              |   |
|     | Response to Office Action dated<br>August 19, 2005   | October 21, 2005             |   |
|     | Office Action  | November 28, 2005            |   |
|     | Response to Office Action dated<br>November 28, 2005 | May 18, 2006                 |   |
|     | Final Office Action                                  | August 4, 2006               |   |
|     | Response to Office Action dated<br>August 4, 2006    | October 4, 2006              |   |
|     | Advisory Action                                      | October 23, 2006             |   |
|     | RCE with Response                                    | February 5, 2007             |   |
|     | Notice of Allowance                                  | July 11, 2007                |   |
|     | RCE with IDS   | October 10, 2007             |   |
|     | Second Notice of Allowance                           | February 21, 2008            |   |
|     | Issue Fee Paid                                       | May 21, 2008                 |   |
|     | Supplemental Notice of<br>Allowability               | July 14, 2008                |   |
| 2   | Appl. No. 10/207,418<br>(Publ. No.: 2003/0005066)    | July 29, 2002                | 2153<br>Aaron Strange                         |
|     | Preliminary Amendment                                | July 20, 2005                |   |
|     | Preliminary Amendment                                | November 11, 2005            |   |
| 3   | Appl. No. 10/671,162<br>(Publ. No.: 2004/0073619)    | September 25, 2003           | 2153<br>Aaron Strange                         |
|     | Office Action  | April 22, 2005               |   |

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| No. | Document  | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|---|------------------------------|---|
|     | Response to Office Action dated April 22, 2005    | September 8, 2005            |   |
|     | Final Office Action                               | November 30, 2005            |   |
|     | RCE with Response                                 | May 30, 2006                 |   |
|     | Office Action                                     | October 6, 2006              |   |
|     | Response to Office Action dated October 6, 2006   | April 5, 2007                |   |
|     | Request for Information from PTO                  | June 29, 2007                |   |
|     | Response to Request for Information               | October 23, 2007             |   |
|     | Office Action                                     | May 21, 2008                 |   |
|     | Response to Office Action dated May 21, 2008      | May 28, 2008                 |   |
|     | Notice of Non-Compliant Amendment                 | June 16, 2008                |   |
|     | Response to Notice of Non-Compliant Amendment     | June 25, 2008                |   |
| 4   | Appl. No. 09/782,107<br>(Publ. No.: 2001/0013071) | February 13, 2001            | 2153<br>Aaron Strange                         |
|     | Office Action                                     | March 27, 2003               |   |
|     | Response to Office Action dated March 27, 2003    | August 18, 2003              |   |
|     | Office Action                                     | October 23, 2003             |   |
|     | Notice of Appeal                                  | March 15, 2004               |   |
|     | RCE with Response                                 | August 14, 2004              |   |
|     | Office Action                                     | November 17, 2004            |   |
|     | Response to Office Action dated November 17, 2004 | November 23, 2004            |   |
|     | Office Action                                     | March 18, 2005               |   |

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| No. | Document   | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|--|------------------------------|---|
|     | Response to Office Action dated March 18, 2005     | September 15, 2005           |   |
|     | Final Office Action                                | December 28, 2005            |   |
|     | RCE with Response                                  | June 29, 2006                |   |
|     | Office Action                                      | October 13, 2006             |   |
|     | Response to Office Action dated October 13, 2006   | April 13, 2007               |   |
|     | Office Action                                      | July 3, 2007                 |   |
|     | RCE with Response                                  | October 30, 2007             |   |
|     | Office Action                                      | January 24, 2008             |   |
|     | Response to Office Action dated January 24, 2008   | May 1, 2008                  |   |
|     | Final Office Action                                | September 12, 2008           |   |
| 5   | Appl. No. 09/783,726<br>(Publ. No.: 2001/0005857)  | February 14, 2001            | 2153<br>Aaron Strange                         |
|     | Preliminary Amendment                              | June 19, 2002                |   |
|     | Office Action                                      | September 25, 2002           |   |
|     | Response to Office Action dated September 25, 2002 | February 5, 2003             |   |
|     | Final Office Action                                | April 16, 2003               |   |
|     | Response to Office Action dated April 16, 2003     | September 4, 2003            |   |
|     | Office Action                                      | February 12, 2004            |   |
|     | Response to Office Action dated February 12, 2004  | May 12, 2004                 |   |
|     | Examiner Interview Summary                         | December 6, 2004             |   |
|     | Office Action                                      | August 10, 2004              |   |
|     | Response to Office Action dated August 10, 2004    | February 10, 2005            |   |

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| No. | Document  | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|---|------------------------------|---|
|     | Final Office Action                                     | July 27, 2005                |   |
|     | Pre-Appeal Brief Request for Review                     | December 13, 2005            |   |
|     | Decision from Pre-Appeal Brief Review                   | January 5, 2006              |   |
|     | Office Action   | March 28, 2006               |   |
|     | Response to Office Action dated March 28, 2006          | June 28, 2006                |   |
|     | Final Office Action                                     | October 13, 2006             |   |
|     | Notice of Appeal  | April 12, 2007               |   |
|     | RCE with Response                                       | October 30, 2007             |   |
|     | Office Action   | July 17, 2008                |   |
| 6   | Appl. No. 09/782,412<br>(Publ. No.: 2001/0005861)       | February 13, 2001            | 2153<br>Aaron Strange                         |
|     | Office Action   | January 7, 2004              |   |
|     | Response to Office Action dated January 7, 2004         | July 1, 2004                 |   |
|     | Final Office Action                                     | September 8, 2004            |   |
|     | Response to Final Office Action dated September 8, 2004 | December 2, 2004             |   |
|     | Examiner Interview Summary                              | December 6, 2006             |   |
|     | Office Action   | March 1, 2005                |   |
|     | Response to Office Action dated March 1, 2005           | June 27, 2005                |   |
|     | Office Action   | September 22, 2005           |   |
|     | Response to Office Action dated September 22, 2005      | March 22, 2006               |   |
|     | Office Action   | July 17, 2006                |   |
|     | RCE with Response                                       | January 16, 2007             |   |

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| No. | Document  | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|---|------------------------------|---|
|     | Office Action                                     | April 10, 2007               |   |
|     | Response to Office Action dated April 10, 2007    | July 10, 2007                |   |
|     | Final Office Action                               | September 25, 2007           |   |
|     | RCE with Response                                 | October 31, 2007             |   |
|     | Office Action                                     | January 28, 2008             |   |
|     | Response to Office Action dated January 28, 2008  | May 16, 2008                 |   |
|     | Final Office Action                               | September 15, 2008           |   |
| 7   | Appl. No. 10/277,294<br>(Publ. No.: 2003/0050987) | October 22, 2002             | 2155<br>Alicia Baturay                        |
|     | Preliminary Amendment                             | October 22, 2002             |   |
|     | Office Action                                     | August 23, 2006              |   |
|     | Response to Office Action dated August 23, 2006   | February 22, 2007            |   |
|     | Final Office Action                               | May 21, 2007                 |   |
|     | RCE with Response                                 | October 31, 2007             |   |
|     | Office Action                                     | February 4, 2008             |   |
|     | Response to Office Action dated February 4, 2008  | May 23, 2008                 |   |
|     | Final Office Action                               | July 29, 2008                |   |
|     | Response to Office Action dated July 29, 2008     | September 19, 2008           |   |
| 8   | Appl. No. 11/849,785                              | September 4, 2007            | 2617<br>Unassigned                            |
|     | Preliminary Amendment                             | October 31, 2007             |   |
| 9   | Appl. No. 11/789,670<br>(Publ. No.: 2007/0288582) | April 24, 2007               | 2153<br>Unassigned                            |



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| No. | Document   | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|--|------------------------------|---|
| 10  | Appl. No. 09/928,983<br>(Publ. No.: 2002/0049818)    | August 13, 2001              | 2153<br>Aaron Strange                         |
|     | Office Action  | November 30, 2004            |   |
|     | Response to Office Action dated<br>November 30, 2004 | December 15, 2004            |   |
|     | Office Action  | April 28, 2005               |   |
|     | Response to Office Action dated<br>April 28, 2005    | July 28, 2005                |   |
|     | Supplemental Amendment                               | September 16, 2005           |   |
|     | Final Office Action                                  | October 19, 2005             |   |
|     | Response to Office Action dated<br>October 19, 2005  | January 17, 2006             |   |
|     | Office Action  | April 5, 2006                |   |
|     | Response to Office Action dated<br>April 5, 2006     | October 5, 2006              |   |
|     | Request for Information from PTO                     | January 4, 2007              |   |
|     | Response to Request for<br>Information               | June 4, 2007                 |   |
|     | Final Office Action                                  | May 23, 2008                 |   |
|     | RCE with Response                                    | August 22, 2008              |   |
| 11  | Appl. No. 11/264,237<br>(Publ. No.: 2006/0069737)    | November 1, 2005             | 2153<br>Aaron Strange                         |
| 12  | Appl. No. 11/300,040<br>(Publ. No.: 2006/0095525)    | December 14, 2005            | 2153<br>Aaron Strange                         |
|     | Preliminary Amendment                                | June 23, 2006                |   |
| 13  | Appl. No. 09/925,810<br>(Publ. No.: 2002/0029258)    | August 9, 2001               | 2153<br>Aaron Strange                         |
|     | Office Action  | March 11, 2008               |   |
|     | Response to Office Action dated<br>March 11, 2008    | April 10, 2008               |   |

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| No. | Document  | Filing Date/<br>Mailing Date | Art Unit Number/<br>Co-Pending Appl. Examiner |
|-----|---|------------------------------|---|
|     | Office Action                                     | July 11, 2008                |   |
|     | Response to Office Action dated<br>July 11, 2008  | September 2, 2008            |   |
| 14  | Appl. No. 10/893,455<br>(Publ. No.: 2004/0252727) | July 16, 2004                | 2153<br>Aaron Strange                         |
|     | Preliminary Amendment                             | June 23, 2006                |   |
| 15  | Appl. No. 10/381,163<br>(Publ. No.: 2004/0136358) | March 19, 2003               | 2153<br>Aaron Strange                         |
| 16  | Appl. No. 10/240,945<br>(Publ. No.: 2004/0024824) | January 29, 2003             | 2153<br>Aaron Strange                         |
|     | Preliminary Amendment                             | June 23, 2006                |   |

**PAPERS IN RELATED LITIGATION IN CANADA**

| <b>No.</b> | <b>Document</b>  | <b>Date</b>       |
|------------|--|-------------------|
| 1          | Statement of Defence and Counterclaim by Defendant Visto Corporation in Court File No. T-1105-06 in Federal Court, Toronto, Ontario, Canada (Research In Motion Limited v. Visto Corporation), 31 pages. | November 15, 2006 |
| 2          | Pinpoint Citations in Satisfaction of the Order of Madam Prothonotary Tabib Dated December 19, 2006 in Court File No. T-1105-06, 31 pages.   | January 31, 2007  |

**PAPERS IN RELATED LITIGATION IN EUROPE**

| <b>No.</b> | <b>Document</b>  | <b>Date</b>       |
|------------|--|-------------------|
| 1          | Opposition to EP 1 096 727 of Research In Motion Limited by Visto Corporation, 39 pages.   | December 21, 2006 |
| 2          | Opposition to EP 1 126 662 of Research In Motion Limited by Visto Corporation, 22 pages.   | December 13, 2007 |
| 3          | Statement of Defence and Counterclaim by Defendant Visto Corporation in HC-06-CO4227 (the "DNP" Action) in the High Court of Justice, Chancery Division, Patents Court, UK (Research In Motion UK Limited v. Visto Corporation), 77 pages. | February 2, 2007  |